

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Order Instituting Investigation and Order to Show Cause on the Commission's own motion into the operations and practices of Warner Lee Fischer, an individual, Pacific Coast Moving & Storage, Inc., a Nevada corporation, its president, Warner Lee Fischer, and its Vice President, Philip Edward Dresser, Jr.

Investigation 04-08-021
(Filed August 19, 2004)

**ADMINISTRATIVE LAW JUDGE'S RULING
SETTING PREHEARING CONFERENCE AND DIRECTING
THE FILING OF PREHEARING CONFERENCE STATEMENTS**

This ruling directs Warner Lee Fischer, an individual, Pacific Coast Moving & Storage, Inc. (Pacific Coast Moving), a Nevada corporation, its president, Warner Lee Fischer, and its Vice President, Philip Edward Dresser, Jr. (Respondents), and the Commission's Consumer Protection and Safety Division (CPSD) to attend a prehearing conference on Tuesday, November 9, 2004, at 10 a.m., in the Commission Courtroom, State Office Building, 505 Van Ness Avenue, San Francisco, California.

Background

On August 19, 2004, the Commission issued the OII/OSC giving Respondents notice and an opportunity for a hearing, and ordering them to show cause, if any, at the hearing why the Commission should not deny Pacific Coast Moving's pending application for a household goods carrier permit under File No. T-189,607 for cause and lack of fitness, and why fines, penalties, and other

remedies should not be issued against Respondents for failing to comply with Commission rules, regulations, resolutions, and orders.

Prehearing Conference

This ruling sets a prehearing conference on Tuesday, November 9, 2004, at 10 a.m., in the Commission Courtroom, State Office Building, 505 Van Ness Avenue, San Francisco, California. At the prehearing conference, the Commission may address the schedule of the proceeding, more clearly formulate the issues, arrange for the exchange of proposed exhibits or prepared testimony, and address other matters as may expedite the orderly conduct and disposition of the proceeding.

Prehearing Conference Statements

No later than Friday, November 5, 2004, CPSD and Respondents are directed to file prehearing conference statements addressing the following issues:

- Recommended schedule for the proceeding, including dates for exchanging prepared testimony; for hearings, briefing, etc., to enable the Commission to resolve this case no later than 12 months from the date of filing the proceeding (see Pub. Util. Code § 1701.2(d));
- Identification of the principal factual and legal issues and the evidentiary bases for claims and defenses (other than the facts and legal issues set forth in the OII/OSC);
- Anticipated witnesses;
- Anticipated discovery issues; and
- Other topics as the interest of justice and efficient case management require.

All parties should serve the prehearing conference statements on the appearances in the attached service list as well as on assigned Administrative

Law Judge (ALJ) Hallie Yacknin, 505 Van Ness Avenue, San Francisco, California 94102 (ALJ Yacknin's e-mail address is hsy@cpuc.ca.gov).

IT IS RULED that:

1. The Commission will hold a prehearing conference on Tuesday, November 9, 2004, at 10 a.m., in the Commission Courtroom, State Office Building, 505 Van Ness Avenue, San Francisco, California.
2. Parties should file prehearing conference statements as set forth in the ruling no later than Friday, November 5, 2004.

Dated October 21, 2004, at San Francisco, California.

/s/ HALLIE YACKNIN

Hallie Yacknin
Administrative Law Judge

***** ATTACHMENT A: SERVICE LIST *****

Last Updated on 21-OCT-2004 by: LIL

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***** INFORMATION ONLY *****

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(END OF ATTACHMENT A)

CERTIFICATE OF SERVICE

I certify that I have by mail, and by electronic mail to the parties to which an electronic mail address has been provided, this day served a true copy of the original attached Administrative Law Judge's Ruling Setting Prehearing Conference and Directing the Filing of Prehearing Conference Statements on all parties of record in this proceeding or their attorneys of record.

Dated October 21, 2004, at San Francisco, California.

/s/ KE HUANG

Ke Huang

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to ensure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.